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Commission Action:

STAFF REPORT: CITY OF TRINIDAD

APPLICATION NO: 2013-04

APPLICANT (S): City of Trinidad

PROPERTY OWNER(S): City of Trinidad & Trinidad Rancheria

PROJECT LOCATIONS: Located within City of Trinidad property, easements and rights-of-way and in the harbor area in various locations.

PROJECT DESCRIPTION: Design Review, Conditional Use Permit and Coastal Development Permit (as applicable) to place tsunami warning signs around the City. Five sets of 12" x 15" 'Leaving' and 'Entering' tsunami zone signs are proposed on Edwards Street and the Lighthouse Access Road as well as near the tops of City trails accessing the Beach on existing posts. Four 22" x 18" and four 24" x 24" signs warning people that they are in a tsunami zone are also proposed to be placed around the harbor parking area.

ASSESSOR'S PARCEL NUMBER: 042-071-01; 042-071-08, 042-121-05, 042-091-05, 042-131-05, City Rights-of-Way

ZONING / LU Designation: C – Commercial, OS – Open Space, SE – Special Environment, NA

ENVIRONMENTAL REVIEW: Categorically exempt from CEQA per §15301 of the CEQA Guidelines allowing maintenance and minor alteration of existing facilities, including streets and trails and §15311 exempting construction or placement of minor accessory structures, including signs.

APPEAL STATUS: Planning Commission action on a Coastal Development Permit, Design Review, Variance, Conditional Use Permit or Grading Permit application will become final 10 working days after the date that the Coastal Commission receives a "Notice of Action Taken" from the City unless an appeal to the City Council is filed in the office of the City Clerk at that time. Furthermore, (portions of) this project **X** ~~is~~ ~~is not~~ appealable to the Coastal

Commission per the City's certified LCP, and may be appealable per the requirements of §30603 of the Coastal Act.

BACKGROUND:

The sign locations, five within City property (two signs at each location), and six sites (eight signs total) on Rancheria property, have been determined through a collaborative effort between the Humboldt County Sheriff's Office of Emergency Services (OES), Trinidad Rancheria, Cal-Trans, HSU and City staff. The project actually originated when Ken Thrailkill was still the Trinidad Police Chief, and he represented the City at local OES meetings. The signs have been paid for by the State OES. These are the standard warning signs that you probably have seen in other locations along that coast. Some of the signs warn people when 'leaving' and 'entering' a tsunami zone, and others warn people that they are within a tsunami hazard zone and provide direction to run to higher ground in case of an earthquake. These signs are being placed all up and down the California Coast, and the design has been developed by Caltrans in order to standardize them throughout the State.

STAFF COMMENTS:

The purpose of this project is to place tsunami warning signs in five locations on City property and six locations in the harbor area on Trinidad Rancheria property for the purpose of public safety. Please see the 'Tsunami Sign Descriptions' attachment from the last meeting for a detailed description of the signs, locations and applicable regulations.

The permitting and review of the signs is not straightforward. Some of the proposed signs are exempt from any permit requirements. However, some require a Coastal Development Permit, some require Design Review, some require a Use Permit and some require a combination of the preceding. In addition, some signs within the Harbor Area may require a Coastal Development Permit (CDP), but because that is an area of deferred certification, the CDP has to be issued directly through the Coastal Commission. The North Coast District of State Parks recently received a permit waiver for 'de minimus' development from the Coastal Commission to place signs along State Park trails and access ways.

A brief summary of signs, locations, zoning and required permits is as follows:

- A1 – A4: Hazard Zone signs (24"x24"); Harbor area (APNs: 042-071-01, -08, -12); C – Commercial (-08 & -12), OS – Open Space (-01); CDP (or waiver from CCC), Use Permit (A1 only) & Design Review.
- B1 – B4: Hazard Zone signs (22"x18", run to high ground); Harbor parking lot (APN: 042-071-08); C – Commercial; CDP (or waiver from CCC) & Design Review.
- C1: Entering/Leaving pair (12"x15"); Trinidad Head access road (APN: 042-121-05); OS – Open Space; CDP & Use Permit.

- C2: Entering/Leaving pair (12"x15"); Edwards St @ Van Wyke (City right-of-way); no zoning; no permits required.
- C3: Entering/Leaving pair (12"x15"); top of Galindo Trail (City right-of-way); no zoning; no permits required.
- C4: Entering/Leaving pair (12"x15"); top of Axel Lindgren III Memorial Trail (042-091-05); OS – Open Space; CDP, Use Permit & Policy 69 approvals.
- C5: Entering/Leaving pair (12"x15"); intersection of Parker & Groth Lane Trails (City easement, 042-131-05); SE – Special Environment; CDP & Use Permit

At their special meeting of January 23, 2013, the City Council considered whether to move forward with processing the required permits for these signs as a property owner and the applicant. Some controversy and objections to the signs were expressed at the Council meeting. The Council did not hear public comments specific to the signs themselves, as that was outside the scope of the agenda item. However, due to the sensitivity of some of the locations and the community interest in signs, upon request by the public, the Planning Commission held a public discussion on 03/20/2013 to take public comment. The minutes from that meeting are included in this packet, and it can be seen that several people spoke in favor of the signs. One member of the public spoke against the signs, and the TAS submitted a letter objecting to certain signs and trails. The Planning Commission did not make specific recommendations and did not have objections to the signs. Therefore, they are on the agenda for formal action this meeting.

ZONING ORDINANCE / GENERAL PLAN CONSISTENCY

Applicable Regulations

Trinidad LCP

§17.08.160 (Definitions): *“Sign means any message, work, symbol, design, picture or visual medium which is intended to draw attention to a project, service, business, person, institution, location and is placed or painted on the ground, or on any tree, wall, fence, rock, structure or thing whatsoever and placed thereon whether indoor or outdoor, so as to be visible from off-premises, exclusive or legal notices, safety and directional signs posted by public agencies.”* By this definition, it appears that the proposed tsunami warning signs are not ‘signs’ regulated by the LCP. I believe the intent of this definition was to limit how public safety and directional signs are regulated. However, if these structures are not ‘signs,’ there is no clear regulation or permit process for them. But they still meet the definition of ‘development’ and are therefore subject to CDP requirements.

§17.56.160 (Signs) does not address street signs. But subsection A.5 allows *“public safety and directional signs not exceeding two square feet”* in any zone without the need for design review. This applies to all ‘entering’ and ‘leaving’ signs @ 1.25. sq. ft.

§17.56.160.A.2 allows *“Identifying sign and/or public bulletin board for a church, school or other public or religious use, which may be indirectly lighted, not exceeding thirty-two square feet in area and located on the premises, provided that it is no closer than ten feet from any property line.”* This type of sign is allowed in any zone, but requires design review approval. This would seem to include the larger ‘hazard zone’ signs in the harbor area.

§17.72.070 (Coastal Development Permits (CDP)) contains no explicit exemption for signs. Though the signs could be considered to be included within subsection C.2: *“Any construction, enlargement, alteration, repair, moving, improvement, removal, conversion or demolition of any building or structure less than any of the following...”* However, the CDP exemptions do not apply in Open Space or Special Environment zones, which several of the signs are located in.

Coastal Act / Regulations

A CDP exemption in the Coastal Act for placement of signs on existing signposts / structures:

§30610. Notwithstanding any other provision of this division, no coastal development permit shall be required pursuant to this chapter for the following types of development and in the following areas:...

b) Improvements to any structure other than a single-family residence or a public works facility; provided, however, that the commission shall specify, by regulation, those types of improvements which (1) involve a risk of adverse environmental effect, (2) adversely affect public access, or (3) involve a change in use contrary to any policy of this division. Any improvement so specified by the commission shall require a coastal development permit.

However, there are exceptions to the exemptions within the regulations:

§13253 (Improvements that require permits) subsection (b)(1) states: *“Improvement to any structure if the structure or the improvement is located: on a beach; in a wetland, stream, or lake; seaward of the mean high tide line; in an area designated as highly scenic in a certified land use plan; or within 50 feet of the edge of a coastal bluff”* Most of the ‘entering’ and ‘leaving’ signs will fall under this exception, and therefore require a CDP.

Zoning Ordinance

Some of the signs may be located within public rights-of-way, which do not have any associated zoning. Other signs will be located within Open Space, Special Environment, and Commercial Zones. Improvements to existing facilities within the Open Space and Special Environmental Zones require a Use Permit (§17.16.030 and 17.20.030). However, Section 17.56.160.A. of Trinidad’s Zoning Ordinance permits certain signs in all zones without a use permit, some of which also do not require Design Review including “public safety and directional signs not exceeding two square feet” such as ‘no trespassing’ signs. The proposed signs do however meet the definition of a structure and development requiring a coastal development permit. These signs would be exempt from CDP requirements in some zones in accordance with §17.72.070 (UR and SR), but not in others (OS and SE). *“Structure’ means anything constructed, the use of which requires permanent location on the ground, or attachment to something having a permanent*

location in the ground.” The City does not have a separate process for a project that requires a CDP, but not any other type of discretionary approval such as Design Review or Use Permit.

General Plan

Policy 69 of the existing Trinidad General Plan states: “*There shall be no disturbance, vegetative removal or construction, except for a protective fence around the burial ground, on lands designated as Open Space within the Tsurai Study Area without the approval of the lineal descendants of Tsurai, Trinidad Rancheria, City of Trinidad, and the State Historic Preservation Officer.*” The entering / leaving sign pairing C4 will be placed on the existing fence at the top of the Axel Lindgren Memorial Trail within the Tsurai Study Area (TSA). Therefore, Policy 69 applies to this pair of signs. A condition of approval has been included that requires approval from the specified groups, in addition to the Yurok and Coastal Conservancy, prior to placement of those signs.

The only direct reference to tsunamis in the existing General Plan is in regards to a building restriction below 20 ft. MSL. There really aren’t policies that are directly applicable to this proposal. However, the Trinidad General Plan and Zoning Ordinance protect views from significant obstruction; protected views include important public coastal views from roads, trails and vista points, and private views from inside residences which are located uphill from a proposed project. This project does not have the potential to block private views, and an alternative location on the north side of the Edwards Street may be discussed to ensure potential view impacts from the Edwards Street sign are minimized.

The proposed Tsunami Signs Project will help implement the following programs from the draft Noise and Safety Element of the General Plan:

Program SAF-2.1.4 Provide information to the public on protection or damage reduction from earthquakes.

Program SAF-2.8.4 Develop a local response plan and/or participate in any regional effort to develop and implement workable response plans for distribution of information on tsunami alerts, watches, and warnings, to appropriate emergency responders and City personnel.

Coastal Act

The proposed project is consistent with the following objective of the California Coastal Act. Section 30210 of the Act states that:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

The proposed tsunami hazard signs will provide a public service by identifying the hazards for the use of certain trails. This meets public safety needs.

Tsurai Study Area / Management Plan

The Tsurai Management Plan that was adopted in 2007 includes recommendations related to trail signage:

Stakeholders: Common Interests and Conflicts (7.7.A, p. 43)

Noted that all stakeholders agree that *“signs are needed to inform the public and direct people to the beach”*

Recreational Resources Recommendation (11.1, p. 69)

A comprehensive signage plan should be designed and developed for trails within the TSA to inform users on the degree of difficulty, direction of pedestrian traffic flow, interpretation of history and place, pertinent rules and regulations, and appropriate use of certain trails.

Appendix C: Summary of Stakeholder Positions from Scoping Meetings A. Axel Lindgren Memorial Trail (ALMT) (Appendix C 2.A, p. 125)

Recommendation regarding *posting signs to warn users of hazards, and to also direct people to stay on it and not detour or leave the trail.*

The tsunami signs at the top of the trail are important for residents, but especially visitors, so they can protect themselves from natural hazards. The proposed signs are consistent with the recommendations found within the TMP and consistent with similar signs being placed on coastal trails throughout the state.

Riparian Protection

Policy No. 15 of the Trinidad General Plan requires that disturbance of riparian vegetation within 100' of streams to be kept to a minimum. The entering / leaving sign pairing C5 appears to be located within 100 feet of Parker Creek. There is an existing sign post in the proposed location, but a taller post will need to be installed in the same location in order to accommodate the proposed signs. However, no riparian vegetation will be disturbed as a result of this project, as the signs will be placed near already cleared trail edges, away from existing riparian vegetation and in the same location as the existing post.

Zoning Ordinance § 17.20.100 includes standards for stream protection zones. The real intent of this section pertains to larger developments. The proposed C5 signs of the Tsunami Hazard Signs Description attachment are consistent with the requirements of this section by not interfering with any 100-year floods, not degrading water quality and not removing any riparian vegetation and other herbaceous plants growing alongside the existing trails.

SLOPE STABILITY:

The tsunami signs, other than the ones located in the Harbor, fall within or adjacent to areas mapped as either 'unstable' or 'questionably stable' on the City General Plan Slope

Stability Map (Plate 3). Signs in or near “Questionable” locations include the Trinidad Head, Edwards Street, and Galindo Street locations. “Unstable” areas include the Axel Lindgren and Parker Creek/Groth Lane Trails. Trinidad General Plan Policy No. 3 suggests that structures—which include signs—not be located on unstable areas. The policy further requires that structures in areas of instability or questionable stability only be allowed if an analysis by a qualified professional indicates that the construction will not further destabilize the area.

Geologic stability policies are more generally applied to construction of human occupied structures and major site improvements; however, signs are structures as defined by the Coastal Act and Trinidad Zoning Ordinance. Though commonly found along the entire coastline, construction activities and substantial improvements within an unstable location could potentially lead to further geologic instability. However, all of the signs will be placed on existing support posts with the exception of the Edwards Street signs and the Parker Creek/Groth Lane signs. The Edwards Street sign post is proposed to be placed on a 9 ft. pole in order to provide a 7 ft. safety clearance for pedestrians. Because this sign is in the right-of-way, it actually has no associated zoning or instability mapping. It also does not require a permit or approval from the Planning Commission. The Parker Creek/Groth Lane sign post will replace the existing post in the exact same location. The City had a geologist review the placement of the trail markers who found that a structure of that size would be equivalent to a person standing there and would have no effect on geologic stability.

ALQUIST PRIOLO ZONE:

The project falls outside of the Alquist-Priolo Fault Hazard Zone.

SEWAGE DISPOSAL:

There is no sewage disposal associated with this project.

LANDSCAPING AND FENCING:

No major vegetation or fence removal will occur.

DESIGN REVIEW/VIEW PRESERVATION FINDINGS:

The tsunami warning signs proposed to be placed around the harbor area are larger than 2 sq. ft. in size, and therefore require Design Review and View Preservation findings to be made in accordance with Zoning Ordinance Section 17.60. Recommended Design Review / View Preservation Findings are written in a manner to allow approval without endorsing the project. However, if information received for the public hearing indicates that views, for instance, may be significantly impacted, or the structure proposed is obtrusive, the findings should be reworded accordingly.

Design Criteria

- A. *The alteration of natural landforms caused by cutting, filling, and grading shall be minimal. Structures should be designed to fit the site rather than altering the landform to accommodate the structure.* Response: The project will not significantly alter ground contours since all the signs will be placed on existing structures; ground disturbance is limited to one area that is already an area developed as a right-of-way (Edwards Street sign).
- B. *Structures in, or adjacent to, open space areas should be constructed of materials that reproduce natural colors and textures as closely as possible.* Response: There are open space areas adjacent to the harbor area. The signs were designed and developed by Caltrans in order to standardize them throughout the State, and are thus consistent with other trail signage commonly found along the coast. The signs are designed to be visible, but not obtrusive; colors will be blue with white lettering and graphics.
- C. *Materials and colors used in construction shall be selected for the compatibility both with the structural system of the building and with the appearance of the building's natural and man-made surroundings. Preset architectural styles (e.g. standard fast food restaurant designs) shall be avoided.* Response: Materials and colors used in the signs are compatible with the natural and man-made surroundings. The signs were designed and developed by Caltrans in order to standardize them throughout the State, and are thus consistent with other trail signage commonly found along the coast. The signs are designed to be visible, but not obtrusive; colors will be blue with white lettering and graphics.
- D. *Plant materials should be used to integrate the manmade and natural environments to screen or soften the visual impact of new development, and to provide diversity in developed areas. Attractive vegetation common to the area shall be used.* Response: No plant materials have been proposed as part of this project and could interfere with sign visibility and public safety.
- E. *On-premise signs should be designed as an integral part of the structure and should complement or enhance the appearance of new development.* Response: As a public safety feature, proposed signs are designed as an integral part of coastal access. They compliment or enhance the surrounding harbor area by indentifying potential hazards.
- F. *New development should include underground utility service connections. When above ground facilities are the only alternative, they should follow the least visible route, be well designed, simple and unobtrusive in appearance, have a minimum of bulk and make use of compatible colors and materials.* Response: No public utilities are impacted by this proposal.
- G. *Off-premise signs needed to direct visitors to commercial establishments, as allowed herein, should be well designed and be clustered at appropriate locations. Sign clusters should be a single design theme.*

Response: N/A; directing visitors to commercial establishments is not the purpose of this project.

- H. *When reviewing the design of commercial or residential buildings, the committee shall ensure that the scale, bulk, orientation, architectural character of the structure and related improvements are compatible with the rural, uncrowded, rustic, unsophisticated, small, casual open character of the community. In particular:*
Response: N/A; there are no buildings associated with this project.

View Protection

- A. *Structures visible from the beach or a public trail in an open space area should be made as visually unobtrusive as possible.* Response: The tsunami warning signs have been designed and recommended for placement where they are not visually obtrusive, but still be visible enough to be clear and effective.
- B. *Structures, including fences over three feet high and signs, and landscaping of new development, shall not be allowed to significantly block views of the harbor, Little Trinidad Head, Trinidad Head or the ocean from public roads, trails, and vista points, except as provided in subdivision 3 of this subsection.* Response: The signs will result in minimal view obstruction and have are consistent with other signs being placed on coastal trails around the State. The signs will be placed on existing structures and the signs themselves are small enough so as to not restrict significant views while still retaining visibility and effectiveness.
- C. *The committee shall recognize that owners of vacant lots in the SR and UR zones, which are otherwise suitable for construction of a residence, are entitled to construct a residence of at least fifteen feet in height and one thousand five hundred square feet in floor area, residences of greater height as permitted in the applicable zone, or greater floor area shall not be allowed if such residence would significantly block views identified in subdivision 2 of this subsection. Regardless of the height or floor area of the residence, the committee, in order to avoid significant obstruction of the important views, may require, where feasible, that the residence be limited to one story; be located anywhere on the lot even if this involves the reduction or elimination of required yards or the pumping of septic tank wastewater to an uphill leach field, or the use of some other type of wastewater treatment facility: and adjust the length-width-height relationship and orientation of the structure so that it prevents the least possible view obstruction.* Response: N/A; construction of a residence is not proposed.
- D. *If a residence is removed or destroyed by fire or other means on a lot that is otherwise usable, the owner shall be entitled to construct a residence in the same location with an exterior profile not exceeding that of the previous residence even if such a structure would again significantly obstruct public views of important scenes, provided any other nonconforming conditions are corrected.* Response: N/A; no fire occurred.

- E. *The Tsurai Village site, the Trinidad Cemetery, the Holy Trinity Church and the Memorial Lighthouse are important historic resources. Any landform alterations or structural construction within one hundred feet of the Tsurai Study Area, as defined in the Trinidad general plan, or within one hundred feet of the lots on which identified historical resources are located shall be reviewed to ensure that public views are not obstructed and that development does not crowd them and thereby reduce their distinctiveness or subject them to abuse or hazards. Response: The signs in the harbor area are the only ones subject to Design Review, and are not located within 100' of any of the listed sites.*

USE PERMIT FINDINGS:

Leaving / Entering sign pairing C1, C4 and C5 and hazard zone sign A1 are located within OS or SE zones, and therefore require the following Use Permit findings, as may be revised, in order to approve this project. As usual, the findings are written in a manor to allow approval of the project, but if the Planning Commission disagrees with any of the findings, or public testimony presents conflicting information, then the findings should be reworded accordingly.

- A. *The proposed use at the site and intensity contemplated and the proposed location will provide a development that is necessary or desirable for and compatible with the neighborhood or the community. Response: The proposed signs are intended to warn the public regarding tsunami zones. The signs follow the statewide standard and therefore will enhance the City's trails system and improve public safety.*
- B. *Such use as proposed will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity or injurious to property improvements or potential development in the vicinity with respect to aspects including but not limited to the following:*
1. *The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures; Response: The signs are less than 2 sq. ft. in size and will be placed on existing posts; they will not pose a hazard.*
 2. *The accessibility of the traffic patterns for persons and vehicles, and the type and volume of such traffic, and the adequacy of proposed off-street parking and loading; Response: The signs will not affect vehicular traffic or parking, but will improve the safety of trail users.*
 3. *The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor; Response: No emissions are associated with the signs.*
 4. *Treatment given, as appropriate, to such aspects as landscaping, screening, open space, parking and loading areas, service areas, lighting and signs;*

Response: The proposed tsunami warning signs will not affect any of these items.

C. *That such use or feature as proposed will comply with the applicable provisions of this title, will be consistent with the policies and programs of the general plan and will assist in carrying out and be in conformity with the Trinidad coastal program.*

Response: As discussed above, under the Zoning Ordinance / General Plan Consistency section, the proposed project can be found to be consistent with the City's Zoning Ordinance, General Plan and Local Coastal Program.

D. *That the proposed use or feature will have no significant adverse environmental impact or there are no feasible alternatives, or feasible mitigation measures, as provided in the California Environmental Quality Act, available which would substantially lessen any significant adverse impact that the actions allowed by the conditional use permit may have on the environment.* Response: The proposed signs are categorically exempt from CEQA per §15301 of the CEQA Guidelines allowing maintenance and minor alteration of existing facilities, including streets and trails and §15311 exempting construction or placement of minor accessory structures, including signs.

E. *When the subject property is located between the sea and the first public road paralleling the sea or within three hundred feet of the inland extent of any beach or of the mean high tide line where there is no beach, whichever is the greater, that:*

1. *The development provides adequate physical access or public or private commercial use and does not interfere with such uses.* Response: The signs are intended to enhance the safety of public trail users by warning them of the potential tsunami hazard.

2. *The development adequately protects public views from any public road or from a recreational area to, and along, the coast.* Response: Most of the signs will be placed on existing posts or structures. Each sign is only 1.25 sq. ft. in size and consistent with similar signs being placed on other coastal trails. They are meant to be visible to trail users, but not obtrusive.

3. *The development is compatible with the established physical scale of the area.* Response: The signs will be placed on existing posts. Each sign is only 1.25 sq. ft. in size and consistent with similar signs being placed on other coastal trails.

4. *The development does not significantly alter existing natural landforms.* Response: The signs will be placed on existing posts. One of the posts will need to be replaced with slightly taller one in the same location.

5. *The development complies with shoreline erosion and geologic setback requirements.* Response: The signs will be placed on existing posts near the

tops of trails. One of the posts will need to be replaced with slightly taller one in the same location.

PLANNING COMMISSION ALTERNATIVES

If the Planning Commission does not agree with staff's analysis, or if information is presented during the hearing that conflicts with the information contained in the staff report, the Planning Commission has several alternatives:

- A. Alter the proposed conditions of approval to address any specific concerns on the part of the Commission or the public.
- B. Delay action / continue the hearing to obtain further information.
 - In this case, the Planning Commission should specify any additional information required from staff or the applicant and / or suggestions on how to modify the project and / or conditions of approval.
- C. Denial of the project.
 - The Planning Commission should provide a motion that identifies the Finding(s) that can not be made and giving the reasons for the inability to make said Finding(s).

STAFF RECOMENDATION

Based on the above analysis, the proposed project can be found to meet the requirements of the Trinidad Local Coastal Program. Provisions of the Zoning Ordinance and General Plan have been met. If the Planning Commission agrees with staff's analysis the project could be approved with the following motion:

Based on the information submitted in the application, included in the staff report and public testimony, I move to adopt the information and findings in this staff report and approve the project as conditioned below:

CONDITIONS

- 1. The signs close to the Management area will not be placed until approval is received from the Tsurai Ancestral Society, Trinidad Rancheria, State Historic Preservation Officer, Yurok Tribe and CA Coastal Conservancy in accordance with Policy 69 of the Trinidad General Plan and recommendations of the Tsurai Management Plan. *Responsibility: City Manager prior to authorizing sign placement by Public Works staff.*
- 2. Ground disturbance will be minimized to the extent possible when replacing the post at the C5 location (Parker Creek / Groth Lane Trails intersection). Erosion control measures such as reseeding and covering bare soil with straw shall be utilized to the extent practicable. *Responsibility: Public Works staff to verify during sign placement.*

Tsunami Sign Descriptions

A1 – A4: 24” x 24” (4 sq. ft.) ‘Hazard Zone’ signs

These signs are intended to inform people that they are currently in a tsunami hazard zone, and are proposed to be located around the harbor parking area. Proposed locations include: (1) the bottom of Edwards Street on the ‘Welcome to Trinidad Bay’ sign; (2) the beginning of the formal parking area on an existing light pole; (3) on the southern edge of the parking lot in front of the employee parking area near the public restroom; and (4) at the end of the harbor parking area near the bait shop. These signs require design review approval from the City because they are more than 2 sq. ft. in size. The Coastal Commission retains jurisdiction over Coastal Development Permits (CDP) in the harbor area and so they would need to issue either a CDP or a permit waiver. Note that the Coastal Commission has already issued a ‘*de minimus*’ permit waiver for the tsunami signs that were proposed by the State Parks North Coast District.



B1 – B4: 22” x 18” (2.75 sq. ft) ‘Hazard Zone’ signs

These signs not only warn people that they are in a tsunami zone, but also provide instruction to run for higher ground in case of an earthquake. These signs are proposed to be placed back-to-back in the middle of the main harbor parking area, and will be mounted on existing light poles where signs already exist. Though smaller than the other ‘Hazard Zone’ signs, these signs still require Design Review approval because they are more than 2 sq. ft. in size. Like the other hazard zone signs, the Coastal Commission would have jurisdiction over issuance of a CDP if one is required.



C1-C5: 12” x 15” (1.25 sq. ft.) paired (back-to-back) ‘Entering’ and ‘Leaving’ signs

These signs are proposed to be placed on roads and trails that provide direct access to the coast in order to warn users that they are about to enter or leave a tsunami zone. They are public safety signs and are not intended to additionally mark or identify trails. Most of the locations have been chosen based on the location of existing structures that will be used to mount the signs rather than at the specific elevation of any expected

tsunami run-up. The reason for this was to avoid the necessity to install any new structures in the ground. These signs all fall under Zoning Ordinance §17.56.160.A.5, which allows public safety and directional signs less than 2 sq. ft. in size in any zone without a requirement for Design Review. However, some of the proposed locations require other approvals as described below.



C1: Located on the Trinidad Head access road

These signs are proposed to be located within an ‘Open Space’ (OS) zone, and are proposed to be placed on an existing sign post. The OS zone (§17.16.030) allows “pedestrian trails ... including improvements to existing facilities” with approval of a Use Permit. Because there are no CDP exemptions in the OS zone, these signs also require a CDP, which would be processed concurrently with the Use Permit.



C2: Located on Edwards Street, near the intersection with Van Wycke Street

This sign pairing is proposed to be located within the Edwards Street right-of-way and has no associated zoning. The proposed location photo shows the sign on the south side of the street, but it could possibly be placed on the north side to minimize potential view impacts. These are the only signs that would require a new support post where one does not currently exist. The post is proposed to be 9 ft. tall in order to provide a 7 ft. safety clearance for pedestrian traffic. City street signs are not subject to planning review or CDP requirements. These signs would fall under the CDP exemptions (§17.72.070.C.2) for “any construction, enlargement, alteration, repair, moving, improvement, removal, conversion or demolition of any building or structure less than any of the following criteria.” The City Council generally discusses any new street

signage at a public meeting, but no permit is required. However, to allow for public input, they are being included for discussion as part of the overall proposal.



C3: Located at the top of the Galindo Trail, at the bottom of Galindo Street

These signs are proposed to be mounted on an existing ‘doggie pot’ structure in an undeveloped portion of the Galindo Street right-of-way near its intersection with Van Wycke. The street right-of-way extends all the way down to the harbor area, but the lower half is developed as a pedestrian trail. Similar to C2, there is no zoning associated with the proposed location of this sign. It does not appear that these signs would be within 50 ft. of the bluff edge and so would also fall under the CDP exemptions (§17.72.070.C.2) for “any construction, enlargement, alteration, repair, moving, improvement, removal, conversion or demolition of any building or structure less than any of the following criteria.” Therefore, these signs do not require any Planning Commission approval, but have been included for public discussion.

C4: Located at the top of the Axel Lindgren Memorial Trail

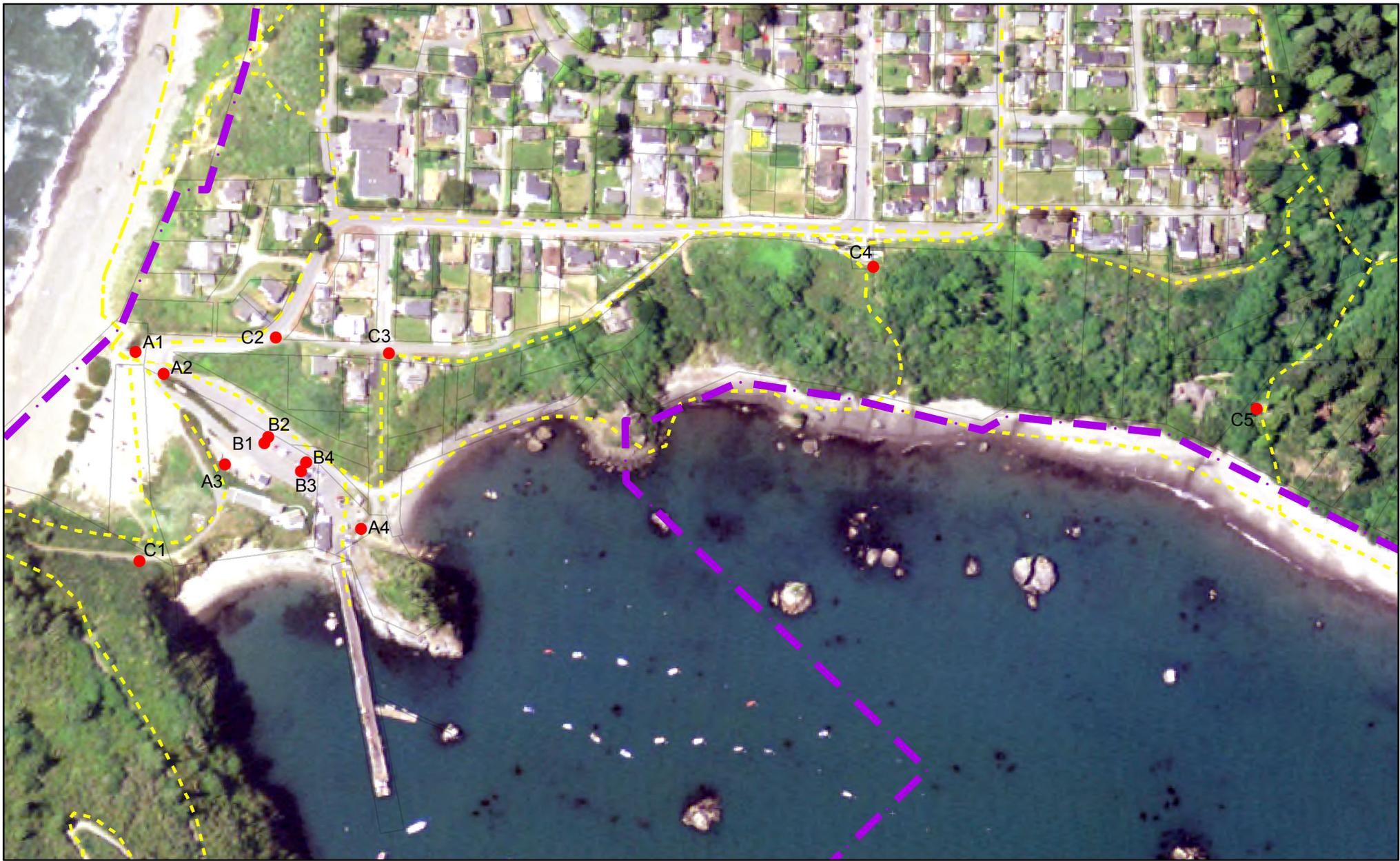
This pair of signs is proposed to be placed on the existing fence at the top of the Axel Lindgren Memorial Trail. This location is on land designated as ‘Open Space’ (OS) within the Tsurai Study Area. Therefore, Policy 69 applies, which states in part: “There shall be no disturbance, vegetation removal or construction ... without the approval of the lineal descendants of Tsurai, Trinidad Rancheria, City of Trinidad, and the State Historic Preservation Officer.” In addition, the OS zone (§17.16.030) allows “pedestrian trails ... including improvements to existing facilities” with approval of a Use Permit. Because there are no CDP exemptions in the OS zone, and these signs are proposed within 50 ft. of the edge of a bluff, they also require a CDP, which would be processed concurrently with the Use Permit.



C5: Located at the intersection of the Parker Creek and Groth Lane Trails

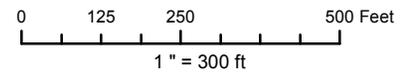
These signs are proposed to be located within a public access easement on private property zoned Special Environment (SE). The site is located outside the Tsurai Study Area and the 12.5 acre Coastal Conservancy easement. There is an existing sign post in the proposed location, but a taller post would need to be installed in order to accommodate the tsunami signs. These signs can be angled so that they can be seen from both the Parker Creek and Groth Lane trails. The City's Coastal Development Permit exemptions (§17.72.070.C) do not apply in the SE zone; therefore a CDP is required. The SE zone (§17.20.030) allows "pedestrian trails ... including improvements to existing facilities" with approval of a Use Permit, which would be processed concurrently with the CDP.





Proposed Sites for Tsunami Signs

- Proposed Tsunami Sign sites
- Trails
- Trinidad City limits
- City parcels



Sites approximate.
 Mapped for 03/20/2013 Trinidad
 Planning Commission meeting.

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Filed: May 15, 2013
Staff: Trever Parker
Staff Report: May 21, 2013
Commission Hearing Date: May 29, 2013
Commission Action:

STAFF REPORT: CITY OF TRINIDAD

APPLICATION NO: 2013-05

APPLICANT: Trinidad Chamber of Commerce / Commercial Fishermen's Wives of Humboldt

PROPERTY OWNER(S): City of Trinidad / Trinidad Rancheria

PROJECT LOCATION: Main & Trinity Streets; Harbor Parking Lot

PROJECT DESCRIPTION: Design Review to place five (5) banners, measuring up to 22" x 48" tall, on existing light poles on Main and Trinity Streets. One location will have a banner featuring Chamber of Commerce activities and the other four will feature Trinidad's commercial fishing fleet. In addition, up to four (4) commercial fishing fleet banners are proposed to be placed on existing poles within the Harbor parking area. Banners are proposed to be in place between approximately May 1 and Labor Day each year.

ASSESSOR'S PARCEL NUMBER: NA – City rights-of-way

ZONING: NA

GENERAL PLAN DESIGNATION: NA

ENVIRONMENTAL REVIEW: Categorically Exempt from CEQA per §15301 of the CEQA Guidelines allowing maintenance and minor alteration of existing facilities, including streets and trails and §15311 exempting construction or placement of minor accessory structures, including signs.

APPEAL STATUS:

Planning Commission action on a coastal development permit, a variance or a conditional use permit, and Design Assistance Committee approval of a design review application will become final 10 working days after the date that the Coastal Commission receives a "Notice of Action Taken" from the City unless an appeal to the City Council is filed in the office of the City Clerk at that time. Furthermore, this project is X / is not appealable to the Coastal Commission per the City's certified LCP, and may be appealable per Section 30603 of the Coastal Act.

SITE CHARACTERISTICS:

The project proposes to place banners on existing light poles, with three (3) located on Main Street, two (2) located on Trinity Street, and two to four (2-4) located within the harbor parking area. The Main and Trinity Street locations are within City right-of-way, which have no zoning associated with them. The locations within the harbor area are on land owned by the Trinidad Rancheria.

STAFF COMMENTS:

The banners were originally proposed by the Commercial Fishermen's Wives Association of Humboldt to highlight Trinidad's commercial fishing fleet. The banners would be similar to the ones put up around the new Fisherman's Terminal in Eureka. The City Council has provided some support for the project in the form of a donation for materials and staff time to mount the signs. The Trinidad Chamber of Commerce is sponsoring the project by providing the initial permit application fee. The Council most recently discussed this project at their April meeting of this year in terms of setting out policies for such requests to help streamline the process. Some policies have been drafted by a subcommittee, but they have not been finalized or approved. In addition, such policies would not eliminate the need for Design Review approval from the Planning Commission.

ZONING ORDINANCE / GENERAL PLAN CONSISTENCY

Five of the signs are proposed to be placed within City rights-of-way, which have no zoning associated with them. Two to four banners are also proposed to be placed within the harbor area parking lot, which is zoned C – Commercial. Regulations such as building size, height, setbacks, etc. do not apply. However, an encroachment permit will be required for the banners located within the City rights-of-way.

The banners fall under the definition of signs found in the City's Zoning Ordinance (§17.08.610): *“Sign’ means any message, word, symbol, picture or visual medium which is intended to draw attention to a product, service, business, person, institution, [or] location and is placed or painted on the ground, or on any tree, wall, fence, rock, structure or thing whatsoever and placed thereon whether indoor or outdoor, so as to be visible from off-premises, exclusive of legal notices, safety and directional signs posted by public agencies.”* The banners do not appear to meet the definition of an off-premise sign: *“a sign other than an on-site sign and includes signs erected by the outdoor advertising industry in the conduct of the outdoor advertising business.”* In the sense that the banners represent community activities and history, they could be considered ‘on-site’ or ‘on-premise,’ defined as (§17.08.650): *“a sign relating in its subject matter to accommodations, services, commodities, or activities on the premises upon which it is located as distinguished from a sign which directs attention to or advertises an occupancy, accommodate, service or activity supplied to originating on other premises.”*

However, they do not fall clearly within the City's sign regulations (§17.56.160). The best fit appears to be subsection A.2, which allows an *“identifying sign and / or bulletin board for a church, school or other public or religious use, which may be indirectly lighted, not*

exceeding thirty-two square feet in area and located on the premises, provided that is no closer than ten feet from any property line;” this type of sign is allowed in any zone but requires Design Review approval from the Planning Commission. Though it only applies to the PD, VS and C zones, subsection B.3 provides some guidance for signs projecting over sidewalks, which states that they: *“shall not be closer than nine feet to the ground or sidewalk.”* For comparison, the City of Arcata requires an 8-ft. clearance for pedestrian safety.

The Trinidad General Plan and Zoning Ordinance protect importance public coastal views from roads, trails and vista points and private views from inside residences located uphill from a proposed project from significant obstruction. The neighbors have been notified and given an opportunity to provide input. There has been some, though little, opposition to the banners at the City Council meetings discussing them. Due to their height and proposed locations view blockage is not anticipated to be an issue. A photo has been provided of the light pole located near the intersection of Trinity and West Streets that has the most potential for blockage of coastal views in order to help visualize potential impacts.

The banners are proposed to be double-sided, and the Council has provided some guidance as to the materials and construction. They will feature photos of Trinidad’s commercial fishing fleet. A sample banner will be provided at the meeting.

DESIGN REVIEW / VIEW PROTECTION FINDINGS:

Because the project is a sign and proposes changes to the external profile of a structure, §17.60.030 requires Design Review and View Preservation Findings to be made. The required findings are written in a manner to allow approval, without endorsing the project. However, if public hearing information is submitted or public comment received indicating that views, for instance, may be significantly impacted, or the structure proposed is obtrusive, the findings should be reworded accordingly.

Design Review Criteria

- A. *The alteration of natural landforms caused by cutting, filling, and grading shall be minimal. Structures should be designed to fit the site rather than altering the landform to accommodate the structure.* Response: The banners will be placed on existing light poles, and no ground disturbance will occur.
- B. *Structures in, or adjacent to, open space areas should be constructed of materials that reproduce natural colors and textures as closely as possible.* Response: The proposed locations are not adjacent to any open space areas, but will feature images of Trinidad’s commercial fishing fleet, which is consistent with the character and history of the community.
- C. *Materials and colors used in construction shall be selected for the compatibility both with the structural system of the building and with the appearance of the building’s natural and man-made surroundings. Preset architectural styles (e.g. standard fast food restaurant designs) shall be avoided.* Response: Materials and colors are consistent

with the existing structure and surrounding development. The banners will feature images of Trinidad's commercial fishing fleet, which is consistent with the character and history of the community.

- D. *Plant materials should be used to integrate the manmade and natural environments to screen or soften the visual impact of new development, and to provide diversity in developed areas. Attractive vegetation common to the area shall be used.* Response: No changes in landscaping are proposed at this time. Screening is not practical or necessary in this case.
- E. *On-premise signs should be designed as an integral part of the structure and should complement or enhance the appearance of new development.* Response: The banners will feature images of Trinidad's commercial fishing fleet, which is consistent with the character and history of the community.
- F. *New development should include underground utility service connections. When above ground facilities are the only alternative, they should follow the least visible route, be well designed, simple and unobtrusive in appearance, have a minimum of bulk and make use of compatible colors and materials.* Response: No utilities are required for the banners.
- G. *Off-premise signs needed to direct visitors to commercial establishments, as allowed herein, should be well designed and be clustered at appropriate locations. Sign clusters should be a single design theme.* Response: No off-premise signs are proposed, but the banners will feature images of Trinidad's commercial fishing fleet, which is consistent with the character and history of the community.
- H. *When reviewing the design of commercial or residential buildings, the committee shall ensure that the scale, bulk, orientation, architectural character of the structure and related improvements are compatible with the rural, uncrowded, rustic, unsophisticated, small, casual open character of the community. In particular:* Response: No new buildings are proposed.

View Protection

- A. *Structures visible from the beach or a public trail in an open space area should be made as visually unobtrusive as possible.* Response: The banners will not be readily visible from these areas. In addition, the banners will feature images of Trinidad's commercial fishing fleet, which is consistent with the character and history of the community.
- B. *Structures, including fences over three feet high and signs, and landscaping of new development, shall not be allowed to significantly block views of the harbor, Little Trinidad Head, Trinidad Head or the ocean from public roads, trails, and vista points, except as provided in subdivision 3 of this subsection.* Response: The bottom of the banners will be at approximately 8-9 feet in height and extend 4 feet up the side of the light pole to maximum height of approximately 12 to 13 feet. As can be seen from the

photo in the application materials, the banners will be placed high enough so that they would not interfere with any coastal views from most viewing angles.

- C. *The committee shall recognize that owners of vacant lots in the SR and UR zones, which are otherwise suitable for construction of a residence, are entitled to construct a residence of at least fifteen feet in height and one thousand five hundred square feet in floor area, residences of greater height as permitted in the applicable zone, or greater floor area shall not be allowed if such residence would significantly block views identified in subdivision 2 of this subsection. Regardless of the height or floor area of the residence, the committee, in order to avoid significant obstruction of the important views, may require, where feasible, that the residence be limited to one story; be located anywhere on the lot even if this involves the reduction or elimination of required yards or the pumping of septic tank wastewater to an uphill leach field, or the use of some other type of wastewater treatment facility: and adjust the length-width-height relationship and orientation of the structure so that it prevents the least possible view obstruction.* Response: The project does not propose any new buildings.
- D. *If a residence is removed or destroyed by fire or other means on a lot that is otherwise usable, the owner shall be entitled to construct a residence in the same location with an exterior profile not exceeding that of the previous residence even if such a structure would again significantly obstruct public views of important scenes, provided any other nonconforming conditions are corrected.* Response: There was no residence that was destroyed by fire associated with this project.
- E. *The Tsurai Village site, the Trinidad Cemetery, the Holy Trinity Church and the Memorial Lighthouse are important historic resources. Any landform alterations or structural construction within one hundred feet of the Tsurai Study Area, as defined in the Trinidad general plan, or within one hundred feet of the lots on which identified historical resources are located shall be reviewed to ensure that public views are not obstructed and that development does not crowd them and thereby reduce their distinctiveness or subject them to abuse or hazards.* Response: The proposed project is not within 100 feet of the Tsurai Study Area, Holy Trinity Church, the Memorial Lighthouse or the Cemetery.

SLOPE STABILITY:

The proposed locations not mapped as being “unstable” or of “questionable stability” on Plate 3 of the General Plan. The project is located outside of the Alquist-Priolo Fault Zone. In addition, no ground disturbance or new buildings are proposed.

SEWAGE DISPOSAL:

There is no sewage disposal associated with or required to place the banners. No septic systems will be affected.

LANDSCAPING AND FENCING:

This project does not involve any new landscaping or fencing.

STAFF RECOMENDATION

Based on the above analysis, the proposed project can be found to meet the requirements of the Trinidad Local Coastal Program. Provisions of the Zoning Ordinance and General Plan have been met. If the Planning Commission agrees with staff's analysis the project could be approved with the following motion:

Based on the information submitted in the application included in the staff report and public testimony, I move to adopt the information and findings in this staff report and approve the project as conditioned below:

PLANNING COMMISSION ALTERNATIVES

If the Planning Commission does not agree with staff's analysis, or if information is presented during the hearing that conflicts with the information contained in the staff report, the Planning Commission has several alternatives.

- A. Alter the proposed conditions of approval to address any specific concerns on the part of the Commission or the public.
- B. Delay action / continue the hearing to obtain further information.
 - In this case, the Planning Commission should specify any additional information required from staff or the applicant and / or suggestions on how to modify the project and / or conditions of approval.
- C. Denial of the project.
 - The Planning Commission should provide a motion that identifies the Finding(s) that can not be made and giving the reasons for the inability to make said Finding(s).

CONDITIONS OF APPROVAL

1. The applicant is responsible for reimbursing the City for all costs associated with processing the application. *Responsibility: Building Official prior to building permits being issued.*
2. Banners shall be placed with the bottom edge a minimum of 8 feet above the ground or sidewalk. *Responsibility: Public Works staff prior to mounting banners.*
3. Any necessary encroachment permits shall be obtained prior to banner placement. *Responsibility: Public Works staff prior to mounting banners.*

April 10,2013

To: Gabe Adams, City Clerk
City of Trinidad

From: Susan G. Rotwein
Commercial Fishermans Wives of Humboldt

Re: Donation of Banners

Project description

We propose to showcase the Cultural Heritage of Trinidad by hanging banners depicting our Trinidad Bay Commercial Fishing Fleet through out the city.

Banners will be hung double sided so that they may be seen entering and leaving Trinidad on Main St. Banners will be hung on 4 selected light poles. Between 2-4 banners will also be hung in the boat basin on Trinidad Rancheria property.

We Propose that the approximate size of the banners will be 20' wide and 40" long.

The banners would hang from May 1 through Labor Day.

The Commercial Fishermans Wives of Humboldt will be responsible for printing and donating the banners to the City.

Finished Banner size 22" W 48" Long
Proposed for banners on pole location

1

2

3

5

7

Pole # 1 to have banners for
Trinidad Chamber of Commerce
for Chamber Events

ex: Fish Festival, Clam beach
run

rest of poles to have banners
depicting Trinidad's Commercial
Fishing Fleet Please see example

SPRING HILL

Underwood

School

#5

#4

Stage Coach

#7

#10

vegetation
young forest
mossy forest

Market

Lighthouse
April

Sattys

#1

Scenic Dr

Main St

#3

Trinidad Trading

Wind+Sea

Museum

Chevron

N →

Patrick's Pt Dr.

